

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PHILIP ELLIS FOSTER,

Plaintiff,

-against-

GENERAL SERVICES ADMINISTRATION,  
et al.,

Defendants.

Case No. 1:22-cv-04496 (JLR)

**ORDER**

JENNIFER L. ROCHON, United States District Judge:

For the reasons stated on the record at today's conference, the Government's summary-judgment motion is denied.

IT IS HEREBY ORDERED that a bench trial shall commence on **November 13, 2024** at 9:00 a.m. in Courtroom 20B of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007. The parties have represented that the trial should last two to three days.

IT IS FURTHER ORDERED that the parties shall comply with the following schedule for pre-trial submissions:

**September 27, 2024:**

The parties shall file any motions *in limine*. The parties shall also submit all required pretrial filings, including their proposed joint pretrial order, proposed findings of fact and conclusions of law, an optional pre-trial memorandum (not to exceed 3,500 words) on the authorization of the WPA to dispose of its property, and all other required submissions in accordance with Rule 5 of the Court's Individual Rules of Practice in Civil Cases. The Court will not be taking direct testimony via affidavit and thus the parties need not comply with Indiv. Rule 5.C.4.

**October 4, 2024:**

The parties shall file their opposition, if any, to the pre-trial memoranda and to any motions *in limine*.

**October 9, 2024:** The parties shall file replies in support of their motions *in limine*.

The parties shall appear for a final pre-trial conference on **November 4, 2024 at 2:00 p.m.** in the aforementioned courtroom.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 46.

Dated: August 14, 2024  
New York, New York

SO ORDERED.



JENNIFER L. ROCHON  
United States District Judge